

JUDGE'S AND CLERK'S CERTIFICATE

IN THE CIRCUIT COURT OF HANCOCK COUNTY, MISSISSIPPI

Trout Point Lodge ETAL

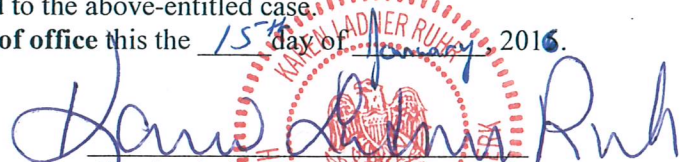
VERSUS

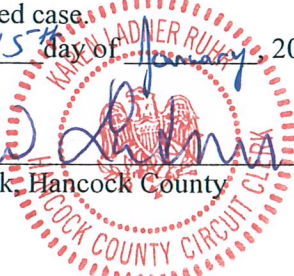
Handshoe, Douglas K

CAUSE NO. 15-0458

I, Karen Ladner Ruhr, the duly elected, qualified and acting Circuit Clerk of Hancock County, Mississippi, do hereby certify that the foregoing pages are and constitute a true and correct copy of the requested documents in regard to the above-entitled case.

Given under my hand and official seal of office this the 15th day of January, 2016.


Circuit Clerk, Hancock County



STATE OF MISSISSIPPI
COUNTY OF HANCOCK

I, CHRISTOPHER L SCHMIDT, Judge of the Circuit Court of Hancock County, Mississippi do hereby certify that KAREN LADNER RUHR, whose name is subscribed to the Clerk's Certificate of attestation, now is, and was at the time of signing and sealing the same, the Clerk of the Circuit Court of Hancock County, and keeper of the records and seal thereof, duly elected and qualified to office; that full faith and credit are, and of right ought to be, attached to all her official acts, as such, in all courts of record and elsewhere, and further that her said attestation is in due form of law, and by the proper officer.

Given under my hand, this 15th day of January, 2016.



Judge of Circuit Court of
Hancock County, Mississippi

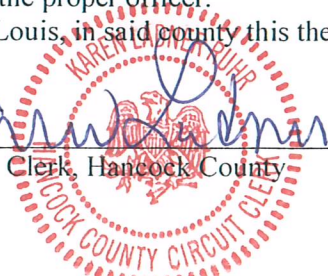


STATE OF MISSISSIPPI
COUNTY OF HANCOCK

I, KAREN LADNER RUHR, Clerk of the Circuit Court of Hancock County, do hereby certify that Christopher L Schmidt, whose name is subscribed to the above certificate of attestation, now is, and was, at the time of signing the same, Judge of said Circuit Court, and was duly elected commissioned, and qualified to office; that full faith and credit are, and of right ought to be, given to all her official acts as such, in all courts of record and elsewhere, and that her attestation is in due form of law, and by the proper officer.

Given under my hand, the seal of said court, at Bay St. Louis, in said county this the 15th day of January, 2016.


Circuit Clerk, Hancock County



Case Number 15-0458
TROUT POINT LODGE, CHARLES LEARY ET AL

vs.

HANDSHOE, DOUGLAS K.

PAGE 1 of 1 *BOTTOM*

DATE	F19-PRINT/EMAIL	MBK	IMG	VIEW
1) 01/07/16	NOTICE OF FILING OF REMOVAL	Y	N	
2) 12/18/15	MOTION TO STRIKE AND/OR PERMANENTLY STAY	Y	N	
3) 12/14/15	GREEN CARD EXECUTED ON DOUGLAS HANDSHOE 12-11-15	Y	N	
4) 12/11/15	CERTIFIED LETTER MAILED TO DEFENDANT	Y	N	
5) 12/09/15	NOTICE OF FILING OF FOREIGN JUDGMENT MAILED TO DEF	Y	N	
6) 12/09/15	JUDGMENT	Y	N	
7) 12/09/15	AFFIDAVIT OF FILING FOREIGN JUDGMENT	Y	N	
8)			N	
9)			N	
10)			N	
11)			N	
12)			N	
13)			N	
14)			N	
15)			N	
F20-ADD NEW ITEM	F1-15 EDIT ITEMS	F16-SORT	F18-PRINT DOCKET	F24-EXIT

FILED

DEC 09 2015

AFFIDAVIT OF KENNETH T. O'CAIN

STATE OF MISSISSIPPI

COUNTY OF MADISON

KAREN LADNER RUHR
CIRCUIT CLERK HANCOCK CO.
BY _____ D.C.

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named KENNETH T. O'CAIN, who, after being duly sworn, did state on his oath the following, to-wit:

1. My name is Kenneth T. O'Cain, and I represent the judgment creditors, Vaughn Perret, Charles Leary and Trout Point Lodge Limited.
2. That pursuant to § 11-7-305 of the Miss. Code of 1972, based upon information and belief, that **the name and last known post office address of the judgment debtor herein is, Douglas Handshoe, Post Office Box 788 Wiggins, Mississippi 39577 AND 214 Corinth Drive, Bay St. Louis, Mississippi 39520;** and the name and last known post office address of the judgment creditors is 189 Troutpoint Road, East Kemptville, NS B5A 5X9.

FURTHER Affiant sayeth not

Kenneth T. O' Cain
Kenneth T. O'Cain

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 30th day of November, 2015.

Jamie W Ables
NOTARY PUBLIC

MY COMMISSION EXPIRES:

Feb 16, 2018

O'CAIN LAW FIRM, PLLC

KENNETH T. O'CAIN, ESQ.
567 HIGHWAY 51
SUITE C
RIDGELAND, MISSISSIPPI 39157

TELEPHONE: 601-832-0990
EMAIL: TREY@OCAINLAW.COM

December 7, 2015

FILED

DEC 09 2015

15-0458

Karen Ladner Ruhr
Hancock County Circuit Clerk
152 Main Street, Ste. B
Bay St. Louis 39520

KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY  D.C.

Re: *Perret, et. al v. Handshoe*, In the Circuit Court of Hancock County,
Mississippi, Civil Action No.: _____

Dear Ms. Ruhr:

Enclosed please find Plaintiff's Civil Cover Sheet and filing fee in the amount of \$161.00. Also enclosed please find the original and one copy of the following for filing:

1. Affidavit of Filing Foreign Judgment;
2. Certified Copy of Final Judgment for Plaintiffs as issued by the captioned Court.

Please file same in the manner prescribed by Miss. Code Ann. § 11-7-305 (1972), as amended, and return the filed copy of the enclosed documents to my attention in the enclosed, postage prepaid envelope. I would also request that you mail notice to the judgment debtor at the address provided and make note of such in your docket in accordance with this statute. Thank you for your attention to this matter.

Very truly yours,



Kenneth T. O'Cain

Enclosures

IN THE CIRCUIT COURT OF HANCOCK COUNTY, MISSISSIPPI
JUDICIAL DISTRICT, CITY OF

Docket No. _____
 File Yr _____ Chronological No. _____ Clerk's Local ID _____

Docket No. If Filed
 Prior to 1/1/94 _____

**PLAINTIFFS IN REFERENCED CAUSE - Page 1 of _____ Plaintiffs Pages
 IN ADDITION TO PLAINTIFF SHOWN ON CIVIL CASE FILING FORM COVER SHEET**

Plaintiff #2:

Individual: Perret Vaughn (_____) Jr/Sr/III/IV
 Last Name First Name Maiden Name, if Applicable Middle Init.

____ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: Kenneth T. O'Cain-101124 Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Plaintiff #3:

Individual: Leary Charles (_____) Jr/Sr/III/IV
 Last Name First Name Maiden Name, if Applicable Middle Init.

____ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: Kenneth T. O'Cain-101124 Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Plaintiff #4:

Individual: _____ (_____) _____
 Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
Hancock County

TROUT POINT LODGE, CHARLES LEARY, VAUGHN VS HANDSHOE, DOUGLA

Case # 15-0458 Acct # Paid By CHECK 1199 Rct# 29337

CLERK'S FEES	85.00
JURY TAX	3.00
COURT REPORTERS FEE	10.00
LAW LIBRARY	2.50
COURT ADMINISTRATOR	2.00
STATE CT ED FUND	2.00
COURT CONSTITUENTS	.50
ELECTRONIC COURT	10.00
LEGAL ASSISTANCE	5.00
JUDICIAL FUND-JUDGE RAISE	40.00
ARCHIVE FEE	1.00

=====
Total \$ 161.00

Payment received from Kenneth T. O'Cain
725 Avignon Drive
PO Box 13847

Jackson MS 39236 3847

Transaction 33705 Received 12/ 9/2015 at 13: 1 Drawer 1 I.D. JASON

Current Balance Due \$0.00 Receipt Amount \$ 161.00

By  D.C. Karen Ladner Ruhr, Circuit Clerk

Case # 15-0458 Acct # Paid By CHECK 1199 Rct# 29337

FILED

DEC 09 2015

BETWEEN:

SUPREME COURT OF NOVA SCOTIA

Trout Point Lodge Ltd., Charles Leary & Vaughn Perret

KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY _____ D.C.

Plaintiff

- and -

Douglas K. Handshoe

Defendant

ORDER

BEFORE THE HONOURABLE JUSTICE KEVIN COADY:

WHEREAS the Court is satisfied that the Defendant Douglas K. Handshoe was personally served with notice of this action;

AND WHEREAS the Defendant Douglas K. Handshoe filed a Demand for Notice and did not file a Defence to this action;

AND WHEREAS the Court is satisfied that the Defendant Douglas K. Handshoe received notice of this assessment of damages;

AND AFTER HAVING REVIEWED the Plaintiff's evidence, exhibits and submissions and being satisfied that the Defendant Douglas K. Handshoe infringed all three plaintiffs copyright in photographic images throughout 2012 and 2013.

IT IS ORDERED:

1. **THAT** the Defendant Douglas K. Handshoe pay the sum of twenty thousand Canadian dollars (\$20,000) in statutory damages to Charles Leary;
2. **THAT** the Defendant Douglas K. Handshoe pay the sum of forty thousand Canadian dollars (\$40,000) in statutory damages to Trout Point Lodge Ltd.;
3. **THAT** the Defendant Douglas K. Handshoe pay the sum of twenty thousand Canadian dollars (\$20,000) in statutory damages to Vaughn Perret;
4. **THAT** the Defendant Douglas K. Handshoe pay all the Plaintiffs the sum of one hundred thousand Canadian dollars (\$100,000) in punitive damages.

DATED at Halifax, Nova Scotia, this 26th day of February, 2014.

Gail O'Keefe
Prothonotary

DEC 09 2015

15-0458

SUPREME COURT OF NOVA SCOTIA
CERTIFICATEKAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY [Signature] D.C.

I, Caroline McInnes, Prothonotary (chief court clerk) of the Supreme Court of Nova Scotia, Canada, do certify that the following constitutes a true and correct copy and a literal transcript of the Order regarding damages for copyright infringement of Supreme Court Justice Kevin Coady in the matter of Trout Point Lodge, Limited, Charles Leary, and Vaughn Perret versus Douglas K. Handshoe, No. 411345, dated February 26, 2014, and initialled by Justice Coady, as the same now appears on file in my office of record.

AND I FURTHER CERTIFY that said Supreme Court of Nova Scotia is a court of record with an official seal, and that I as Prothonotary of Said Supreme Court of Nova Scotia, am the custodian of records and of the seal of Said Court.

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of this said Court, at the city of Halifax, Nova Scotia, on this 19th day of November in the year of our lord two-thousand and fifteen.

[Signature] (sign)
Caroline McInnes (print)
PROTHONOTARY OF THE
SUPREME COURT OF NOVA SCOTIA

PROVINCE OF NOVA SCOTIA

I, Kevin Coady, a Justice of the Supreme Court of Nova Scotia, do hereby certify that Caroline McInnes (Prothonotary) who's true signature appears to the forgoing Certificate is now and was at the date of said Certificate, the Prothonotary (chief court clerk) of the Supreme Court of Nova Scotia, duly qualified according to law and that her said Certificate is in due form of law; that the seal hereto attached is the genuine seal of said Supreme Court of Nova Scotia, and that Said Court is a Court of Record.

Witness my signature, this 19 day of November A.D. 2015

[Signature]
JUSTICE KEVIN COADY

SUPREME COURT OF NOVA SCOTIA

I, Caroline McInnes, Prothonotary of the Supreme Court of Nova Scotia, do hereby certify that Justice Coady, who's signature appears to the annexed and foregoing attestation, is now and was at the date of said Certificate, a Justice of the Supreme Court of Nova Scotia, duly appointed by lawful authority and legally qualified, and that the Certificate and Attestation are in due form of law, and that the Supreme Court of Nova Scotia is the highest trial court in the Province of Nova Scotia and a Court of Record.

[Signature] (sign)

Caroline McInnes (print)
PROTHONOTARY OF THE
SUPREME COURT OF NOVA SCOTIA

IN THE SUPREME COURT OF NOVA SCOTIA
I hereby certify that the foregoing document
is a true copy of the original.

Dated 19th day of November 2015

Prothonotary

Caroline McInnes
Prothonotary

IN THE CIRCUIT COURT OF HANCOCK COUNTY, MISSISSIPPI

Trout Point Lodge, LTD
Charles Leary
Vaughn Perret
VERSUS
Douglas K. Handshoe

CAUSE NO. 15-0458

CLERK'S NOTICE OF FILING OF FOREIGN JUDGMENT

COMES NOW Judgment Creditor, Trout Point Lodge
Charles Leary
Vaughn Perret, and

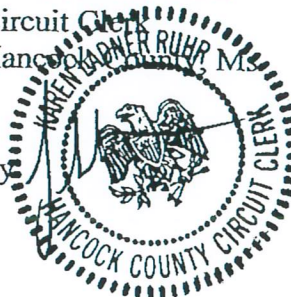
files this its' Notice of filing Foreign Judgment as follows:

1. The name and address of the Judgment Creditor is Trout Point Lodge
Charles Leary
Vaughn Perret
2. The name and address of the Judgment Creditor's Attorney in the State of Mississippi is Kenneth T O'cain
3. A true and accurate copy of the Judgment in favor of Trout Point Lodge,
Charles Leary, Vaughn Perret
is attached; and
4. The name and address of the Judgment Debtor is: Douglas Handshoe
PO Box 788 Wiggins, MS 39511

This the 9th day of Dec 2015

Karen Ladner Ruhr
Circuit Clerk
Hancock County, MS

By



D.C.

9082 2599 1000 002T 4T02

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

SENT BY MAIL

Sent To Douglas Handshoe 15-0408
Street, Apt. No.,
or PO Box No. 294 Corinth Drive
City, State, ZIP+4 Bay St Louis MS 39520

PS Form 380, August 2006 See Reverse for Instructions

FILED

DEC 11 2015

KAREN LADNER RUHR
CIRCUIT CLERK HANCOCK CO.
BY [Signature] D.C.

FILED

DEC 14 2015

KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY [Signature] D.C.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

15-0458
Douglas Handshoe
214 Corinth Drive
Bay St. Louis, MS
39520

COMPLETE THIS SECTION OF DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

12-17

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below:☐ No

3. Service Type

☒ Certified Mail®☐ Priority Mail Express™☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes2. Article Number
(Transfer from service label)

7014 1200 0001 6652 3808

PS Form 3811, July 2013

Domestic Return Receipt

IN THE CIRCUIT COURT OF HANCOCK COUNTY

STATE OF MISSISSIPPI

FILED

DEC 18 2015

VAUGHN PERRET
CHARLES LEARY
TROUT POINT LODGE, LTD, A Nova
Limited Company

PLAINTIFFS

KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY _____ D.C.

v.

Civil Action No. 15-0458

DOUGLAS HANDSHOE

DEFENDANT

MOTION TO STRIKE AND/OR PERMANENTLY STAY

NOW INTO COURT through undersigned Counsel comes Defendant Douglas Handshoe pursuant to Rule 12(f) of the Mississippi Rules of Civil Procedure who respectfully moves this Honorable Court to strike and/or permanently stay Plaintiffs' Foreign Judgment and offers the following in support thereof:

FACTUAL BACKGROUND

The foreign country judgment at issue in this matter stems from the third of three Canadian defamation suits filed against Defendant in his personal capacity by Plaintiffs Vaughn Perret, Charles Leary and Trout Point Lodge of Nova Scotia in collusion with their Louisiana business partner, suspended attorney Daniel G. "Danny" Abel (The Trout Point Group) in the time period from August, 2011 to January, 2013 in Canada over content published to the website belonging to Slabbed New Media, LLC, a Mississippi Limited Liability Company. These Canadian defamation actions were in direct retaliation against Defendant and his media company Slabbed New Media LLC for exposing the roles of The Trout Point Group in an international bribery and money laundering scheme masterminded by former Jefferson Parish President Aaron Broussard. Three media outlets on the Gulf Coast covering this New Orleans metro area corruption scandal were sued for defamation in Nova Scotia, Canada by the Trout Point Group in

Louisiana Media Company, LLC aka Fox 8 New Orleans and instant Defendant in his personal capacity in a vain attempt to silence the public interest news reporting of this most newsworthy corruption scandal. Aaron Broussard would ultimately reach a plea bargain with United States Prosecutors and was sentenced to 46 months in Federal Penitentiary where he remains today. The Trout Point Group was named as Broussard's unindicted co-conspirators.

Plaintiffs' first attempt to enroll a Canadian default defamation judgment from their first Nova Scotia suit was denied comity under the SPEECH Act of 2010¹ in December 2012 by the United States District Court for the Southern District of Mississippi and this decision was affirmed by the United States Fifth Circuit Court of Appeals [*Trout Point Lodge v. Handshoe*, 729 F.3d 481 (5th Cir. 2013)].

Enraged by losing their case in United States District Court, in December, 2012 the Trout Point Group filed another defamation suit in Canada against Defendant in his personal capacity joining as codefendant Defendant's media company, Slabbed New Media LLC's US based webhost, Automattic. Additionally, after losing their first attempt to obtain comity for their Canadian defamation judgments in December 2012, The Trout Point Group has filed three defamation suits against Handshoe in his personal capacity in civil defamation actions in Louisiana that have included Defendant's lead attorney in *Trout Point Lodge v Handshoe* along with three other lawyers along with the Baldwin Haspel Law Firm, which had also previously defended Handshoe against these frivolous SLAPP suits. The Trout Point Group's campaign of litigation terrorism even included Plaintiffs' prior counsel in the U.S. District Court matter,

¹ The SPEECH Act was enacted unanimously by Congress to combat the exact kind of Defamation lawsuit forum shopping exhibited by the Trout Point Group in their campaign of litigation terrorism against US media companies covering Broussard's bribery scheme involving Jefferson Parish contractors.

Henry Laird, whom the Trout Point Group sued for Malpractice in the New Orleans, Louisiana Civil District Court in February, 2014.²

In January, 2013 the Trout Point Group dropped the second Nova Scotia action they filed against Handshoe and Automattic in favor of filing a third lawsuit, also against Handshoe in his personal capacity, alleging Copyright Infringement under the Canadian Copyright Act involving images that belonged to third parties in the United States that had been previously subject to numerous “takedown notices” filed by the Trout Point Group and certain third parties under the United States Copyright law according to the provisions contained in 17 USC 512. Pursuant to the same statute, Slabbed New Media LLC filed counter notifications asserting “fair use” exception for journalism in the public interest involving these creative works, which were never commercially sold by the Plaintiffs or Slabbed New Media, LLC. The Trout Point Group expressly chose not to litigate in the proper venue, the United States District Court for the Southern District of Mississippi, despite the fact they had substantively engaged a United States legal process in sending takedown notices under 17 USC 512. In fact, the original Nova Scotia complaint at the heart of this proceeding accused Handshoe of submitting “bogus counter-notifications”. The United States Copyright Act is unique for its takedown notice and counter-notification procedures, which are not found in the Canadian Copyright Act.³ The Plaintiffs’ filed this last Defamation/Copyright suit in Canada in order to attempt to legitimize the numerous misrepresentations they made under 17 USC 512. Those misrepresentations and their

² Court filings obtained by Slabbed New Media LLC in this matter indicated the Trout Point Group owed the Jones Walker law firm over \$97,000 in unpaid fees related to their representation in both the District Court case and appeal, *Trout Point Lodge v. Handshoe*, 729 F.3d 481 (5th Cir. 2013). This malpractice case was dismissed by the Louisiana Court in May, 2014.

³ The Canadian Copyright Modernization Act, created a “Notice and Notice” procedure which does not involve disabling access to disputed creative works. The Canadian Copyright Act’s Copyright Act “Notice and Notice” procedure is found at §§ 41.25 and 41.26 of the Act, available online at http://laws-lois.justice.gc.ca/eng/annualstatutes/2012_20/FullText.html

use in the Canadian Defamation Action that resulted in the judgment they now attempt to enroll before this Honorable Court are now subject to a United States District Court action filed against instant Plaintiffs by instant Defendant pursuant to the cause of action contained at 17 USC 512(f) such Civil Action including Declaratory relief regarding the judgment instant Plaintiffs now attempt to enroll pursuant to the SPEECH Act of 2010.⁴

Defendant appeared for the limited purpose of challenging the jurisdiction over him in the third Canadian proceeding. After briefing the matter thoroughly, including pointing out the Plaintiffs' substantively engaged a United States legal process involving images belonging to parties in the US that were internet hosted at server farms located in the US, Plaintiffs' moved to amend their original copyright complaint to predominantly include the tort of Defamation against Plaintiff in his personal capacity, which also fundamentally changed the questions of law involved in the Canadian proceedings. Rather than submit to the jurisdiction of a Canadian court which lacked personal jurisdiction over Defendant (the legal owner of the website, Slabbed New Media, LLC has been completely disregarded by Plaintiffs, who are well aware of its existence by their own admission) in an endless cycle of litigation in a foreign land with no connection to the subject matter or the defendant in his personal capacity instant Defendant defaulted. The Canadian Court never ruled on Defendant's first jurisdictional challenge to the original complaint, continuing it without date. Defendant demanded notice of the proceedings and defaulted. After a damages hearing was held in December, 2013, the Canadian Court rendered an opinion on February 14, 2014 finding for Plaintiffs for both the Defamation and Copyright Infringement torts alleged against Defendant in his personal capacity, issuing two judgments in an attempt to circumvent the SPEECH Act of 2010, one for Copyright Infringement and one for

⁴ *Handshoe v Perret et al*, Case Number 15CV382 in the United States District Court for the Southern District of Mississippi filed November 16, 2015.

Defamation. On June 2, 2014, Plaintiffs, via counsel filed their Petition to enroll the Copyright Judgment in the Circuit Court of Hancock County. This was dismissed by this Honorable Court on November 13, 2015. Plaintiffs, via Counsel, have enrolled the same judgment on December 9, 2015. These matters now come before this Honorable Court.

LAW AND ARGUMENT

Mississippi Civil Procedure Rule 12(f) provides that, “Upon motion made by a party before responding to a pleading or, if no responsive pleading is permitted by these rules, upon motion made by a party within thirty days after the service of the pleading upon him or upon the court’s own initiative at any time, the court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter”. Further, in the alternative the Defendant/Movant wishes to permanently stay these proceedings pursuant to Section 11-7-307, Mississippi Code of 1972 as amended and that this motion to stay is timely filed pursuant to Section 11-7-305, Mississippi Code of 1972, as amended.

Neither the United States or Mississippi Constitutions compel Mississippi Courts give full faith and credit to judgments from foreign countries, nor is there a federal treaty that requires the enforcement of foreign country judgments. However, Mississippi courts will enforce foreign country judgments under principles of res judicata and comity.⁵ Requirements for enforcing foreign country judgments were set forth by influential nineteenth-century treatises and are known as the Kent-Story Rule. Supreme Court Justice Gray expressed the rule in the influential opinion in *Hilton v. Guyot*⁶:

where there has been opportunity for a full and fair trial abroad before a court of competent jurisdiction, conducting the trial upon regular proceedings, after due

⁵ *Laskosky v. Laskosky*, 504 So. 726, 730 (Miss. 1987)

⁶ 159 U.S. 113 (1895)

citation or voluntary appearance of the defendant, and under a system or jurisprudence likely to secure an impartial administration of justice between the citizens of its own country and those of other countries, and there is nothing to show either prejudice in the court or in the system of laws under which it was sitting, or fraud in procuring the judgment, or any other special reason why the comity of this nation should not allow it full effect, the merits of the case should not, in an action brought in this country upon the judgment, be tried afresh, as on a new trial or an appeal, upon the mere assertion of the party that the judgment was erroneous in law or in fact.

Under *Hilton v Guyot*, a foreign country judgment from a judicial system that provides impartial tribunals is enforceable unless: 1) the foreign court lacked jurisdiction; 2) the judgment was procured by fraud; 3) the judgment was founded on clear mistake or irregularity; 4) the judgment was bad by the law of the place where it was rendered; or 5) the foreign jurisdiction rendering the judgment did not recognize American judgments.

In Mississippi the principles of comity have been codified in several court decisions including *Laskosky v. Laskosky*, 504 So. 726, 730 (Miss. 1987):

Enforcement of foreign nation judgments in our courts is governed by the principle of comity. *Restatement*, 2nd, Conflicts of Laws, § 98. The principle of comity is similar to full faith and credit except that it is not governed by the United States or Mississippi Constitutions or Federal statutes and that its application rests in the discretion of the trial judge. *Kountouris v. Varvaris*, 476 So.2d 599, 607 (Miss. 1985); *MacLeod v. MacLeod*, 448 So.2d 361, 362 (Ala.Civ.Ct.App. 1983); *Cox v. Cox*, 234 Miss. 885, 892, 108 So.2d 422 (1959).

These principles and reasons not to extend comity to a foreign judgment involving sister states and foreign countries have evolved to the following:

1. The judgment was rendered under a system which does not provide impartial tribunals or procedures compatible with the requirements of due process of law;
2. The foreign court did not have personal jurisdiction over the defendant; or
3. The foreign court did not have jurisdiction over the subject matter.

Moreover, unlike a judgment from a sister state, a foreign country money judgment also need not be recognized if:⁷

1. The defendant in the proceedings in the foreign court did not receive notice of the proceedings in sufficient time to enable him to defend;
2. The judgment was obtained by fraud;
3. The cause of action on which the judgment is based is repugnant to the public policy of this state;
4. The judgment conflicts with another final and conclusive judgment;
5. The proceeding in the foreign court was contrary to an agreement between the parties under which the dispute in question was to be settled otherwise than by proceedings in that court; or
6. In the case of jurisdiction based only on personal service, the foreign court was a seriously inconvenient forum for the trial of the action.

Accordingly, a foreign country judgment can be challenged on grounds that the underlying claim offended Mississippi public policy. Worth noting is the fact that *Hilton v.*

⁷ *Mississippi Conflict of Laws*, Michael H. Hoffheimer, Professor of Law and Leonard B. Melvin Lecturer, University of Mississippi

Guyot imposed another requirement for enforcement of foreign country judgments in reciprocity⁸.

The Canadian judgment at controversy has numerous problems that should lead this Honorable Court to deny it comity and order it struck from the Judgement Rolls. The following reasons to deny comity under the common law of Mississippi and the United States SPEECH Act, each of which would be sufficient on its own, are as follows:

- The Canadian Court lacked personal jurisdiction over Defendant Handshoe in his personal capacity as he had no contact with Nova Scotia in a personal capacity.
- The Canadian Court lacked subject matter jurisdiction over US based copyrights.
- The Canadian judgment is repugnant to Mississippi public policy.
- The Canadian judgment conflicts with another final and conclusive judgment, *Trout Point Lodge v. Handshoe*, 729 F.3d 481 (5th Cir. 2013).
- Nova Scotia Canada does not offer comity to Mississippi judgments as a matter of law.

LACK OF PERSONAL JURISDICTION

All of the acts in the Canadian complaint directly relate to content owned and copyrighted by Slabbed New Media, LLC, a Mississippi Limited Liability company with registered offices in Stone County Mississippi.⁹ Slabbed New Media, LLC was formed on April 11, 2011 with its principal asset being the interactive website located at www.slabbed.org. The Slabbed New Media LLC website (hereinafter “Slabbed”) is an interactive service provider that contains the creative work published by managing member acting as agent for the LLC, Douglas

⁸ *Id.*

⁹ The Slabbed New Media LLC website located virtually at www.slabbed.org, is hosted at a server farm in the US belonging to Amazon Web Services, domiciliary State of Washington..

Handshoe. The website also includes third party comments to articles published in response to the public interest journalism contained on the website. Slabbed New Media LLC regularly breaks original news and is considered an authoritative journalistic source by the local media including The Sun Herald, with its work, especially in the area of investigative journalism, attributed in newspapers across this area including the New Orleans Advocate, The Times Picayune, The Mississippi Press and the Sun Herald.¹⁰ Slabbed New Media LLC relies on reader donations as its sole source of income. The Slabbed New Media LLC Interactive website, located at www.slabbed.org at all times salient to the events giving rise to the Canadian litigation, contained the following statement along with a copyright notice which is prominently displayed near the top of every webpage on a “sidebar”:

Slabbed.org by Slabbed New Media, LLC is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License.
Permissions beyond the scope of this license may be available at
<http://slabbed.org/contact/>.

At all times salient to the underlying Canadian litigation, the webpage located at <http://slabbed.org/contact/> contained the following:

DMCA Notices & other legal inquiries should be sent via email to
Slabbed New Media LLC.

US Mail:
Slabbed New Media, LLC
Post Office Box 788
Wiggins, MS 39577-0788

¹⁰ Prior to formation in April 2011, Slabbed conducted business as a common law partnership engaged in a hobby with multiple contributors. Nonetheless its work on the legal issues surrounding the post Katrina wind water litigation, merited mention in two books including *Delay, Deny, Defend* by Law Professor Jay Feinman of the Rutgers University School of Law

Courier service:
Slabbed New Media LLC
110 Hall Street
Wiggins, MS 39577

The Plaintiffs, including lead Plaintiff Vaughn Perret, who is a purportedly a lawyer that was trained in the United States, purposely misrepresented the ownership of the website to the Canadian Court, which itself saw the notice clearly displayed in evidence submitted to the court by Perret and Leary. Ironically, even a Nova Scotia Court clerk, using her personal cellphone to get around an IP block of the website by the Nova Scotia court system, used the above contact page to obtain Defendant's business email address in an attempt to conduct the Nova Scotia Court's business with the Defendant. Defendant Handshoe, in his personal capacity, lacks any contact with the Province of Nova Scotia let alone minimum contacts, as legally defined, to be subject to the jurisdiction of the Nova Scotia Courts in a personal capacity.

Finally, Defendant/Movant freely admits to appearing before the Nova Scotia Courts for the limited purpose of challenging that Court's personal jurisdiction over him. However, after submitting his jurisdictional brief showing the manifest problems Plaintiff Perret and Leary had suing in Canada over US Copyrights that had all borne takedown notices issued under US law that were successfully Counter notified under US law, instant Plaintiffs moved the Canadian court to amend their Copyright lawsuit to one consisting overwhelmingly of the tort of defamation arguing both arose out of the same nexus of fact. The Canadian Court granted this motion and Defendant's jurisdictional challenge was continued without date and was never heard or decided by the Canadian Court, thus preserving this issue for the review of this Honorable Court.

LACK OF SUBJECT MATTER JURISDICTION

The images in question were all owned by parties other than the Plaintiffs at the time they were published to the Slabbed New Media, LLC website and each were subjected to takedown notices using the procedures contained at 17 USC 512, colloquially known as the Digital Millennium Copyright Act (DMCA). Slabbed New Media, LLC counter notified each and every takedown notice involving these images using the procedures contained at 17 USC 512 for counter notifying the original takedown notices that contained misidentified material as infringing on a copyright. Included in the statutory provisions that contain the counter notification procedures, a proper counter notification under 17 USC 512 includes that, **the party submitting the counter notification must agree to waive service of process for expedited proceedings seeking an injunction at the US District Court where domiciled.**¹¹ Once a takedown notice is counter notified, the party claiming infringement has 10-14 working days to seek an injunction under expedited procedures contained in 17 USC 512 at the United States District Court.

Each and every image Perret and Leary would later claim infringed on their Canadian Copyrights were obtained by after-the-fact assignments from the third parties. These third parties, along with the Trout Point Group, submitted takedown notices under 17 USC 512 prior to Perret and Leary instituting copyright proceedings in Canada in January 2013. These actions sending DMCA takedown notices substantively engaged the United States Copyright law.¹²

¹¹ In the case of Slabbed New Media, LLC, this is the US District Court for the Southern District of Mississippi, its domicile or the domicile of the Webhost, which in this case would be the US District Court serving the Houston Texas metropolitan area. Slabbed New Media LLC, as a matter of corporate policy waives service in 17 USC 512 counter notifications for the Mississippi US Southern District Court only.

¹² The Canadian Judge even noted the 17 USC 512 takedown notices in paragraph 25 of his opinion, which also referred to an injunction from the first Canadian suit as applicable to the Copyright Infringement alleged in Canada. The United States Fifth Circuit Court of Appeals would find on page 6 of its opinion that, "Trout Point does

Every takedown notice submitted by the Trout Point Group and the third parties they incited were successfully counter notified by Slabbed New Media, LLC in accordance with US law. The third parties and the Trout Point Group expressly declined to seek an injunction in the US District Court by taking no action to obtain an injunction. In every instance, these third parties and the Plaintiffs substantively engaged a United States legal process, which is partly extra judicial (notification/counter notification procedures and requirements) and partly judicial, in the expedited injunction procedures forcing removal of material alleged as infringing, where service of process was expressly waived cannot be gainsaid. Plaintiffs' subsequently seeking remedy under Canadian law is not only misplaced but also represents an abuse of a US legal process that is complete with an ulterior motive in attempting to legitimize the abuse of the United States legal process via proceedings in a foreign court that lacked jurisdiction to decide United States Copyright law.

THE CANADIAN JUDGMENT IS REPUGNANT TO MISSISSIPPI PUBLIC POLICY

The Plaintiffs represent their Canadian judgment as a Copyright judgment but this is misleading. The 43 page amended complaint underlying this matter is a largely incomprehensible, spleen-venting screed, over half of which was devoted to ad hominem attacks on Handshoe in his personal capacity, with the other half overwhelmingly dominated by allegations related to the tort of defamation. The Canadian Judge, in the opinion related to this judgment, bases the copyright infringement findings on the Canadian laws of defamation stating repeatedly, "it appears alongside defamatory script" referring to the images, as the basis for his findings of law.¹³ In their Motion to Amend their original application to the Court after

not seek to enforce the injunction in this action. Rightly so, as the injunction does not comport with the most basic protections against prior restraints on speech in the United States.

¹³ Trout Point Lodge Ltd. v. Handshoe, 2014 NSSC 62 paragraphs 21-25. The Canadian Judge's assertion that the assignments obtained in 2013 were before the start of the Canadian litigation is clearly contradicted by the Court's

Handshoe had submitted a jurisdictional challenge to the original copyright complaint, Perret and Leary pleaded that the copyright infringement and defamation they now were alleging were derived from the same factual basis and were thus inseparable under Canadian law. Yet, at the end of the Canadian proceedings, the Court issued two judgments from the one action, one for Defamation damages and another for Copyright Infringement damages, in order to circumvent the United States SPEECH Act of 2010, which prevents the exact type of libel tourism forum shopping of United States based defamation claims to foreign jurisdictions that lack United States First Amendment protections as a matter of law.¹⁴ To the extent the SPEECH Act of 2010 is the Supreme Law of the United States, this Honorable Court has the power to declare this Canadian defamation judgment masquerading as a copyright judgement as REPUGNANT to both the Constitutions of Mississippi and the United States.

THE CANADIAN JUDGMENT CONFLICTS WITH ANOTHER FINAL AND CONCLUSIVE JUDGMENT, TROUT POINT LODGE V. HANDSHOE, 729 F.3D 481 (5TH CIR. 2013).

Plaintiffs attempt to obtain comity for this Canadian Judgment which they assert is Copyright based. However, the Ashoka Foundation (domiciliary Virginia USA) photographs referred to in the Nova Scotia opinion were also a part of the Defamation judgment Plaintiffs attempted to obtain comity in *Trout Point Lodge v. Handshoe*, 729 F.3d 481 (5th Cir. 2013).¹⁵ This defamation judgment rejected by the United States Court actually covered multiple torts beyond Defamation, including the alleged copyright infringement involving the Ashoka Foundation Photographs. This judgment was expressly denied comity by the United States

own docket. Handshoe flatly denies the allegation levied by the Plaintiffs in their suit as false and concocted from whole cloth.

¹⁴ The Canadian Court dismissed the United States SPEECH Act on page 6 of its opinion recounting the first attempt at comity being denied due to as "the exigencies of Mississippi legislation", showing the Canadian court was clearly aware of the SPEECH Act of 2010.

¹⁵ Hearing Book Exhibits for Damages Assessment Hearing Pt. 5, Trout Point et al v Handshoe (Nova Scotia proceeding) introduced into evidence in *Trout Point Lodge v. Handshoe*, 729 F.3d 481 (5th Cir. 2013).

Courts only to see the allegations reasserted by Perret and Leary in their third Canadian defamation suit, along with certain other defamation counts that were also recycled and reasserted in the third Canadian defamation suit underlying this instant matter.¹⁶ Plaintiffs re-litigation of these matters clearly represents a collateral attack on the previous judgment of the United States District Court.

Conclusively, the Canadian opinion relies on a previous injunction that was subject to the litigation in the *Trout Point Lodge v. Handshoe*, 729 F.3d 481 (5th Cir. 2013), about which the Fifth Circuit Court of Appeals wrote in a footnote on page 6 of the Court's opinion denying Comity, "Trout Point does not seek to enforce the injunction in this action. **Rightly so, as the injunction does not comport with the most basic protections against prior restraints on speech in the United States.** See *Neb. Press Ass'n. v. Stuart*, 427 U.S. 539,559 (1976) (explaining the heavy presumption that a prior restraint on speech is unconstitutional).

**NOVA SCOTIA CANADA DOES NOT OFFER COMITY TO MISSISSIPPI
JUDGMENTS AS A MATTER OF LAW.**

The Reciprocal Enforcement of Judgments Act governs recognition of foreign judgments in Nova Scotia. This Act clearly applies to judgments from foreign lands as Part 4 of the Act refers to judgments denominated in a foreign currency. It also only applies to "reciprocating states", which Part 2(h) defines as, "*reciprocating state" means a territorial legal unit in Canada or outside Canada that is declared by the Governor in Council as such for the purposes of this Act*". Part 10(1) of the Act states, "*Where the Governor in Council is satisfied that reciprocal provisions will be made by a territorial legal unit in or outside Canada for the*

¹⁶ The United States Fifth Circuit Court of Appeals proceedings were expanded to include the Trout Point Group's "Concrete Busters Fraud and Defamation Allegations" and have now since been reasserted in the Canadian defamation judgment underlying these instant proceedings as well as two Louisiana defamation suits connected to the Trout Point Group filed against Handshoe in his personal capacity along with his now former attorneys.

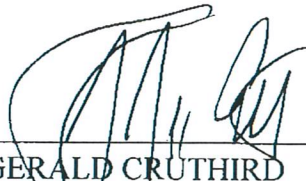
enforcement therein of judgments given in the Province, he may by order declare it to be a reciprocating state for the purpose of this Act.”

The Reciprocating States Declarations (Judgments) Regulations of Nova Scotia clearly shows that neither Mississippi, nor any other State of the United States is listed as a “reciprocating state” for purposes of the Act, thus United States judgment are not accorded comity under the law per the Nova Scotia Reciprocal Enforcement of Judgments Act.

CONCLUSION

Defendant prays that this Court, after a hearing on the evidence submitted in support of his Motion to Strike and/or Permanently Foreign Judgment, will declare it REPUGNANT TO THE CONSTITUTION OF THE STATE OF MISSISSIPPI pursuant to the SPEECH Act of 2010 and Mississippi Law, deny it comity and order it struck from the Judgment Rolls of Hancock County Mississippi or in the Alternative order it permanently stayed.

Respectfully submitted this 18th day of December, 2015,



G. GERALD CRUTHIRD
Of Counsel for the Defendant Douglas Handshoe
Attorney At Law
Post Office Box 1056
Picayune, MS 39466
Telephone: (601) 798-0220
Mississippi Bar No. 7920

CERTIFICATE OF SERVICE

I, G. Gerald Cruthird, do hereby certify that I have sent a true and correct copy of the foregoing Memorandum in Support of Motion to Strike Foreign Judgment to the following via United States Mail:

Kenneth O'Cain, Esq.
567 Highway 51, Suite C
Ridgeland, MS 39157
Attorney for Plaintiffs

Respectfully submitted this 18th day of December,
2015,



G. GERALD CRUTHIRD
Of Counsel for the Defendant Douglas Handshoe
Attorney At Law
Post Office Box 1056
Picayune, MS 39466
Telephone: (601) 798-0220
Mississippi Bar No. 7920

IN THE CIRCUIT COURT OF HANCOCK COUNTY, MISSISSIPPI

VAUGHN PERRET
CHARLES LEARY

TROUT POINT LODGE, LTD, A Nova
Limited Company

PLAINTIFFS

v.

DOUGLAS HANDSHOE

FILED
JAN 07 2016
KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY D.C.

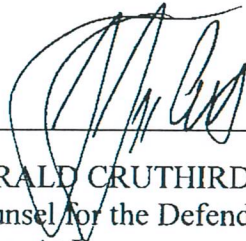
Civil Action No.15-0458

DEFENDANT

NOTICE OF FILING OF REMOVAL

Defendant hereby gives notice that he has filed a Notice of Removal in the United States District Court for the Southern District of Mississippi in the case styled Vaughn Perret, Charles Leary and Trout Point Lodge Limited, Civil Action No. 15-0458. A copy of this Notice of removal is attached as Exhibit "1".

Respectfully submitted this 7th day of January, 2016,



G. GERALD CRUTHIRD
Of Counsel for the Defendant Douglas Handshoe
Attorney At Law
Post Office Box 1056
Picayune, MS 39466
Telephone: (601) 798-0220
Mississippi Bar No. 7920

CERTIFICATE OF SERVICE

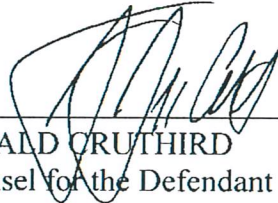
I, G. Gerald Cruthird, certify I have sent a true and correct copy of the foregoing Notice of Removal to the following via United States Mail:

Kenneth O'Cain, Esq.
567 Highway 51, Suite C
Ridgeland, MS 39157
Attorney for Plaintiffs

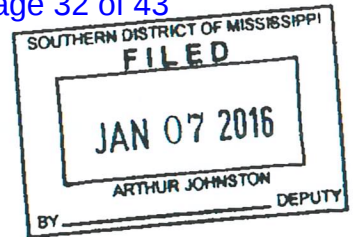
I, G. Gerald Cruthird, certify I have hand delivered a true and correct copy unto:

Honorable Karen Ladner Ruhr
Circuit Clerk of Hancock County, Mississippi
152 Main Street, Suite B
Bay St Louis, MS 39520

Respectfully submitted this 7th day of
January, 2016,



G. GERALD CRUTHIRD
Of Counsel for the Defendant Douglas Handshoe
Attorney At Law
Post Office Box 1056
Picayune, MS 39466
Telephone: (601) 798-0220
Mississippi Bar No. 7920



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

VAUGHN PERRET
CHARLES LEARY
TROUT POINT LODGE, LTD, A Nova
Limited Company

PLAINTIFFS

v.

Civil Action No. 1:16cv7LG-RHW

DOUGLAS HANDSHOE

DEFENDANT

DEFENDANT'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 *et seq.*, Defendant, Douglas Handshoe, files this Notice of Removal of the Civil Action filed against him by Plaintiffs, Vaughn Perret, Charles Leary and Trout Point Lodge, Ltd, and states as follows.

1. On December 9, 2015, Plaintiffs' filed their Petition to Enroll Foreign Judgment in the lawsuit styled Vaughn Perret, Charles Leary and Trout Point Lodge Ltd, Civil Action No. 15-0458 in the Circuit Court of Hancock County, Mississippi.
2. The Defendant, Douglas Handshoe, was served with notice of such filing on December 10, 2015.
3. Removal is proper under 28 U.S.C. § 1441 and § 4103 because Plaintiffs' suit involves diverse parties and a Federal question. Additionally this court has supplemental jurisdiction as certain of the claims involve claims that were previously decided by this Court in the case styled *Trout Point Lodge et al v Handshoe*. Specifically, Plaintiffs have alleged defamation via Internet by Defendant in securing rendition of foreign judgments¹

¹ Plaintiffs, with the assistance of Nova Scotia Supreme Court and over the objection of defendant Handshoe, essentially bifurcated an amended Civil Action post judgment between the defamation torts Plaintiffs' had

against Defendant in the Supreme Court of Nova Scotia, Canada on or about February 26, 2014 in the civil action styled Trout Point Lodge Ltd., Charles Leary & Vaughn Perret v Douglas Handshoe reasserting claims previously before both the Nova Scotia Courts and this Court.² Additionally, the subject of the enforceability of the exact Canadian Judgement is currently before this Court pursuant to the SPEECH Act of 2010 in the case styled *Handshoe v Perret et al*, Civil Action number 1:15cv382-HSO-JCG filed November 16, 2015.

4. Venue is proper in this district under 28 U.S.C. § 1441 (a) because the State Court where the action has been pending is located in this district.
5. This Notice is being filed with this Court within Thirty (30) days after Defendant received a copy of the Plaintiffs' initial pleading, Petition to Enroll Foreign Judgment.
6. Defendant would further show that true and correct copies of all process, pleadings and orders filed to date in the above State Court action served upon Defendant on December 10, 2015 are attached hereto as Exhibit "A"; and that no other process, pleadings or orders have been served upon Defendant to date in this action.
7. Defendant files this Notice without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiffs' above described foreign judgment can be enrolled or enforced.
8. Defendant is filing contemporaneously with this Notice, a Notice of Filing Notice of Removal with the Clerk of the Circuit Court of Hancock County, Mississippi, informing

previously successfully argued in Nova Scotia were integral to the copyright torts alleged in their amended action. Plaintiffs now attempt to enroll only a portion of the whole in an attempt to defeat the requirements of 28 U.S.C. §§ 4101 et seq.

² The Copyrights purportedly belonging to the Ashoka Foundation being a part of both sets of proceedings.

the Honorable Clerk that this action is being removed. A copy of said Notice of Filing Notice of removal is attached as Exhibit "B".

Defendant prays that this Court take jurisdiction of this action to its conclusion, to the exclusion of any further proceedings in the State Court in accordance with the law. Defendant also prays for such other and further relief to which he may be justly entitled.

Respectfully submitted this 7th day of January,
2016,



G. GERALD CRUTHIRD
Of Counsel for the Defendant Douglas Handshoe
Attorney At Law
Post Office Box 1056
Picayune, MS 39466
Telephone: (601) 798-0220
Mississippi Bar No. 7920

CERTIFICATE OF SERVICE

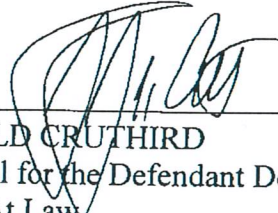
I, G. Gerald Cruthird, certify I have sent a true and correct copy of the foregoing Notice of Removal to the following via United States Mail:

Kenneth O'Cain, Esq.
567 Highway 51, Suite C
Ridgeland, MS 39157
Attorney for Plaintiffs

I, G. Gerald Cruthird, certify I have hand delivered a true and correct copy unto:

Honorable Karen Ladner Ruhr
Circuit Clerk of Hancock County, Mississippi
152 Main Street, Suite B
Bay St Louis, MS 39520

Respectfully submitted this 7th day of January,
2016,



G. GERALD CRUTHIRD
Of Counsel for the Defendant Douglas Handshoe
Attorney At Law
Post Office Box 1056
Picayune, MS 39466
Telephone: (601) 798-0220
Mississippi Bar No. 7920

IN THE CIRCUIT COURT OF HANCOCK COUNTY, MISSISSIPPI

Trout Point Lodge, LTD
Charles Leary
Vaughn Perret
VERSUS
Douglas K. Handshoe

CAUSE NO. 15-0458

CLERK'S NOTICE OF FILING OF FOREIGN JUDGMENT

COMES NOW Judgment Creditor, Trout Point Lodge
Charles Leary
Vaughn Perret, and

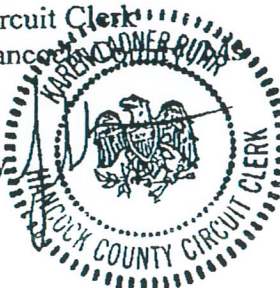
files this its' Notice of filing Foreign Judgment as follows:

1. The name and address of the Judgment Creditor is Trout Point Lodge
Charles Leary
Vaughn Perret
2. The name and address of the Judgment Creditor's Attorney in the State of Mississippi is Kenneth T O'cain
3. A true and accurate copy of the Judgment in favor of Trout Point Lodge,
Charles Leary, Vaughn Perret
is attached; and
4. The name and address of the Judgment Debtor is: Douglas Handshoe
Po Box 788 Wiggins, MS 39577

This the 9th day of Dec 2015

Karen Ladner Ruhr
Circuit Clerk
Hancock County

By



D.C.



FILED

DEC 09 2015

AFFIDAVIT OF KENNETH T. O'CAIN

STATE OF MISSISSIPPI

COUNTY OF MADISON

KAREN LADNER RUHR
CIRCUIT CLERK HANCOCK CO.
BY [Signature] D.C.

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named KENNETH T. O'CAIN, who, after being duly sworn, did state on his oath the following, to-wit:

1. My name is Kenneth T. O'Cain, and I represent the judgment creditors, Vaughn Perret, Charles Leary and Trout Point Lodge Limited.
2. That pursuant to § 11-7-305 of the Miss. Code of 1972, based upon information and belief, that the name and last known post office address of the judgment debtor herein is, Douglas Handshoe, Post Office Box 788 Wiggins, Mississippi 39577 AND 214 Corinth Drive, Bay St. Louis, Mississippi 39520; and the name and last known post office address of the judgment creditors is 189 Troutpoint Road, East Kemptville, NS B5A 5X9.

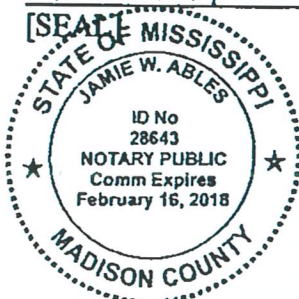
FURTHER Affiant sayeth not

[Signature]
Kenneth T. O'Cain

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 30th day of November, 2015.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:

Feb 16, 2018

FILED

DEC 09 2015

15-0458

SUPREME COURT OF NOVA SCOTIA
CERTIFICATEKAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY [Signature] D.C.

I, Caroline McInnes, Prothonotary (chief court clerk) of the Supreme Court of Nova Scotia, Canada, do certify that the following constitutes a true and correct copy and a literal transcript of the Order regarding damages for copyright infringement of Supreme Court Justice Kevin Coady in the matter of Trout Point Lodge, Limited, Charles Leary, and Vaughn Perret versus Douglas K. Handshoe, No. 411345, dated February 26, 2014, and initialled by Justice Coady, as the same now appears on file in my office of record.

AND I FURTHER CERTIFY that said Supreme Court of Nova Scotia is a court of record with an official seal, and that I as Prothonotary of Said Supreme Court of Nova Scotia, am the custodian of records and of the seal of Said Court.

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of this said Court, at the city of Halifax, Nova Scotia, on this 19th day of November in the year of our lord two-thousand and fifteen.

[Signature] (sign)
Caroline McInnes (print)
PROTHONOTARY OF THE
SUPREME COURT OF NOVA SCOTIA

PROVINCE OF NOVA SCOTIA

I, Kevin Coady, a Justice of the Supreme Court of Nova Scotia, do hereby certify that Caroline McInnes (Prothonotary) who's true signature appears to the forgoing Certificate is now and was at the date of said Certificate, the Prothonotary (chief court clerk) of the Supreme Court of Nova Scotia, duly qualified according to law and that her said Certificate is in due form of law; that the seal hereto attached is the genuine seal of said Supreme Court of Nova Scotia, and that Said Court is a Court of Record.

Witness my signature, this 19 day of November A.D. 2015

[Signature]
JUSTICE KEVIN COADY

SUPREME COURT OF NOVA SCOTIA

I, Caroline McInnes, Prothonotary of the Supreme Court of Nova Scotia, do hereby certify that Justice Coady, who's signature appears to the annexed and foregoing attestation, is now and was at the date of said Certificate, a Justice of the Supreme Court of Nova Scotia, duly appointed by lawful authority and legally qualified, and that the Certificate and Attestation are in due form of law, and that the Supreme Court of Nova Scotia is the highest trial court in the Province of Nova Scotia and a Court of Record.

[Signature] (sign)
Caroline McInnes (print)
PROTHONOTARY OF THE
SUPREME COURT OF NOVA SCOTIA

FILED

SUPREME COURT OF NOVA SCOTIA

BETWEEN:

DEC 09 2015

Trout Point Lodge Ltd., Charles Leary & Vaughn Perret

KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY _____ D.C.

Plaintiff

- and -

Douglas K. Handshoe

Defendant



ORDER

BEFORE THE HONOURABLE JUSTICE KEVIN COADY:

WHEREAS the Court is satisfied that the Defendant Douglas K. Handshoe was personally served with notice of this action;

AND WHEREAS the Defendant Douglas K. Handshoe filed a Demand for Notice and did not file a Defence to this action;

AND WHEREAS the Court is satisfied that the Defendant Douglas K. Handshoe received notice of this assessment of damages;

AND AFTER HAVING REVIEWED the Plaintiff's evidence, exhibits and submissions and being satisfied that the Defendant Douglas K. Handshoe infringed all three plaintiffs copyright in photographic images throughout 2012 and 2013.

IT IS ORDERED:

1. **THAT** the Defendant Douglas K. Handshoe pay the sum of twenty thousand Canadian dollars (\$20,000) in statutory damages to Charles Leary;
2. **THAT** the Defendant Douglas K. Handshoe pay the sum of forty thousand Canadian dollars (\$40,000) in statutory damages to Trout Point Lodge Ltd.;
3. **THAT** the Defendant Douglas K. Handshoe pay the sum of twenty thousand Canadian dollars (\$20,000) in statutory damages to Vaughn Perret;
4. **THAT** the Defendant Douglas K. Handshoe pay all the Plaintiffs the sum of one hundred thousand Canadian dollars (\$100,000) in punitive damages.

DATED at Halifax, Nova Scotia, this 26th day of February, 2014.



Prothonotary

O'CAIN LAW FIRM, PLLC

KENNETH T. O'CAIN, ESQ.
567 HIGHWAY 51
SUITE C
RIDGELAND, MISSISSIPPI 39157

TELEPHONE: 601-832-0990
EMAIL: TOTOCAINLAW.COM

December 7, 2015

FILED

DEC 09 2015

15-0458

Karen Ladner Ruhr
Hancock County Circuit Clerk
152 Main Street, Ste. B
Bay St. Louis 39520

KAREN LADNER RUHR
CIRCUIT CLERK, HANCOCK CO.
BY [Signature] D.C.

Re: *Perret, et. al v. Handshoe*, In the Circuit Court of Hancock County,
Mississippi, Civil Action No.: _____

Dear Ms. Ruhr:

Enclosed please find Plaintiff's Civil Cover Sheet and filing fee in the amount of \$161.00. Also enclosed please find the original and one copy of the following for filing:

1. Affidavit of Filing Foreign Judgment;
2. Certified Copy of Final Judgment for Plaintiffs as issued by the captioned Court.

Please file same in the manner prescribed by Miss. Code Ann. § 11-7-305 (1972), as amended, and return the filed copy of the enclosed documents to my attention in the enclosed, postage prepaid envelope. I would also request that you mail notice to the judgment debtor at the address provided and make note of such in your docket in accordance with this statute. Thank you for your attention to this matter.

Very truly yours,

[Signature]

Kenneth T. O'Cain

Enclosures

COVER SHEET Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		Court Identification Docket #		Case Year	Docket Number
		23	1	CI	2015
		County #	Judicial District	Court ID (CH, CI, CO)	Local Docket ID
		120915			
Mississippi Supreme Court Administrative Office of Courts		Form AOC/01 (Rev 2009)		Case Number if filed prior to 1/1/94	
In the <u>CIRCUIT</u>		Court of <u>HANCOCK</u>		County —	Judicial District
Origin of Suit (Place an "X" in one box only) <input type="checkbox"/> Initial Filing <input type="checkbox"/> Reinstated <input checked="" type="checkbox"/> Foreign Judgment Enrolled <input type="checkbox"/> Transfer from Other court <input type="checkbox"/> Other <input type="checkbox"/> Remanded <input type="checkbox"/> Reopened <input type="checkbox"/> Joining Suit/Action <input type="checkbox"/> Appeal					
Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form					
Individual Last Name _____ First Name _____ Maiden Name, if applicable _____ M.I. _____ Jr/Sr/III/IV _____ Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____ Estate of _____ Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____ D/B/A or Agency _____					
Business <u>Trout Point Lodge, Ltd</u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: _____ D/B/A _____					
Address of Plaintiff <u>189 Trout Point Road, East Kemptville, NS B5A 5X9</u>					
Attorney (Name & Address) <u>Kenneth T. O'Neal, 567 Highway 51, Ste C, Ridgeland, MS 39157</u> MS Bar No. <u>101124</u> Check (x) if Individual Filing Initial Pleading is NOT an attorney Signature of Individual Filing: <u>KTO</u>					
Defendant - Name of Defendant - Enter Additional Defendants on Separate Form					
Individual <u>Handshoe</u> Last Name _____ First Name <u>Douglas</u> Maiden Name, if applicable _____ M.I. _____ Jr/Sr/III/IV _____ Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____ Estate of _____ Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____ D/B/A or Agency _____					
Business Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: _____ D/B/A _____					
Attorney (Name & Address) - If Known _____ MS Bar No. _____					
Damages Sought: Compensatory \$ _____ Punitive \$ _____ Check (x) if child support is contemplated as an issue in this suit.* *If checked, please submit completed Child Support Information Sheet with this Cover Sheet					
Nature of Suit (Place an "X" in one box only)					
<input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Divorce: Irreconcilable Diff. <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA) <input type="checkbox"/> Other _____		<input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Business Dissolution <input type="checkbox"/> Debt Collection <input type="checkbox"/> Employment <input checked="" type="checkbox"/> Foreign Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Replevin <input type="checkbox"/> Other _____		<input type="checkbox"/> Adoption - Contested <input type="checkbox"/> Adoption - Uncontested <input type="checkbox"/> Consent to Abortion Minor <input type="checkbox"/> Removal of Minority <input type="checkbox"/> Other _____ Civil Rights <input type="checkbox"/> Elections <input type="checkbox"/> Expungement <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief/Prisoner <input type="checkbox"/> Other _____ Contracts <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Installment Contract <input type="checkbox"/> Insurance <input type="checkbox"/> Specific Performance <input type="checkbox"/> Other _____ Statutes/Rules <input type="checkbox"/> Bond Validation <input type="checkbox"/> Civil Forfeiture <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Injunction or Restraining Order <input type="checkbox"/> Other _____	
<input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Dept Employment Security <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other _____		<input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Commitment <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Heirship <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Name Change <input type="checkbox"/> Testate Estate <input type="checkbox"/> Will Contest <input type="checkbox"/> Other _____		<input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Eviction <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Tax Sale: Confirm/Cancel <input type="checkbox"/> Title Boundary or Easement <input type="checkbox"/> Other _____ Real Property <input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Mass Tort <input type="checkbox"/> Negligence - General <input type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Product Liability <input type="checkbox"/> Subrogation <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other _____	

IN THE CIRCUIT COURT OF HANCOCK COUNTY, MISSISSIPPI
JUDICIAL DISTRICT, CITY OF

Docket No. _____
 File Yr _____ Chronological No. _____ Clerk's Local ID _____

Docket No. If Filed
 Prior to 1/1/94 _____

PLAINTIFFS IN REFERENCED CAUSE - Page 1 of _____ Plaintiffs Pages
IN ADDITION TO PLAINTIFF SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Plaintiff #2:

Individual: Perret Vaughn _____
 Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: Kenneth T. O'Cain-101124 Pro Hac Vice (✓) Not an Attorney(✓) _____

Plaintiff #3:

Individual: Leary Charles _____
 Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: Kenneth T. O'Cain-101124 Pro Hac Vice (✓) Not an Attorney(✓) _____

Plaintiff #4:

Individual: _____
 Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: _____ Pro Hac Vice (✓) Not an Attorney(✓) _____

FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
Hancock County

TROUT POINT LODGE, CHARLES LEARY, VAUGHN VS HANDSHOE, DOUGLA

Case # 15-0458	Acct #	Paid By CHECK 1199	Rct# 29337
		CLERK'S FEES	85.00
		JURY TAX	3.00
		COURT REPORTERS FEE	10.00
		LAW LIBRARY	2.50
		COURT ADMINISTRATOR	2.00
		STATE CT ED FUND	2.00
		COURT CONSTITUENTS	.50
		ELECTRONIC COURT	10.00
		LEGAL ASSISTANCE	5.00
		JUDICIAL FUND-JUDGE RAISE	40.00
		ARCHIVE FEE	1.00

Total \$ 161.00

Payment received from Kenneth T. O'Cain
725 Avignon Drive
PO Box 13847

Jackson MS 39236 3847

Transaction 33705 Received 12/ 9/2015 at 13: 1 Drawer 1 I.D. JASON

Current Balance Due \$0.00 Receipt Amount \$ 161.00

By  D.C. Karen Ladner Ruhr, Circuit Clerk

Case # 15-0458 Acct # Paid By CHECK 1199 Rct# 29337